

REMARKS

Applicants reply to the Office Action dated August 2, 2007, with a one month extension of time. Claims 1-9 were pending in the application and the Examiner rejects claims 1-9. Applicants add new dependent claims 10-12. Support for the new claims and amendments may be found in the originally filed specification, claims, and figures. No new matter has been introduced by these new claims and amendments. Applicants assert that the application is in condition for allowance and reconsideration of the pending claims is requested.

Objections to the Specification

The Examiner objects to the title because "it is not descriptive." Applicants respectfully disagree. However, to expedite prosecution, Applicants request that the title of the originally filed specification be replaced with the title specified on page 2 of this reply.

Objections to the Drawings

The Examiner objects to the drawings due to a misspelling and inconsistencies between labeled elements and the specification. A replacement sheet is included herewith correcting the misspelled and improperly labeled drawing elements.

Claim Rejections Under 35 U.S.C. § 112

The Examiner rejects claims 1-9 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner asserts, "the role of the financial transaction manager is not sufficiently distinct from the remittance processor and the payment manager" (page 3, item 5). Applicants amend claim 1 to more clearly recite the roles of the financial transaction manager, remittance manager, and payment manager. As amended, independent claim 1 clearly recites that the remittance manager processes incoming transactions to insure that the payment information is formatted properly and to invoke the remittance manager to validate the transaction information. Claims 2-9 depend from independent claim 1, thus are cured by the amendments to claim 1.

Rejections Under 35 U.S.C. § 103

The Examiner rejects claims 1, 3, and 8 under 35 U.S.C. § 103(a) as being unpatentable over Pickering, U.S. Patent No. 5,483,445 in view of Haseltine et al., U.S. Patent No. 6,578,015

("Haseltine"), and in further view of Pollin, U.S. Patent No. 5,504,677. Applicants respectfully traverse the rejection.

Pickering generally discloses an automated system for consolidating a number of individual and reoccurring charges such that the system may issue payment to the various payees of the reoccurring charges, while allowing the consumer to facilitate a single payment. The system receives information relating to the various payees from the consumer. The system further receives information from the identified payees relating to statement due dates. When all such information is received, the system calculates an optimal payment due date for the consumer. Pickering discloses that an optimal payment due date may result in some payees being paid early, while others are paid later. An Administrator of the Pickering system negotiates with the payees to determine an acceptable surcharge to be paid to those payees that are paid later than the typical statement due date. The surcharge is based on a company's loss of interest because of the later than expected payment date as well as any additional processing expenses that the payee may incur.

Haseltine generally discloses a third-party system for billing consumers on behalf of a number of individual payees. Specifically, the Haseltine system accepts statement specific information from each participating payee in order to create a billing statement template. The template is subsequently used to by the system to generate billing statements that may be presented to consumers for review and payment. The Haseltine system further allows payers to access an online system to view specific information relating to, for example, payment history and a summary of charges, fees, and taxes. Payees may interact with the system to define specific terms relating to billing statements and payments.

Pollin generally discloses a system that enables collection agencies and the like to accept checking account information from of a payer and generate drafts without requiring a signature of the payer. The Pollin system accepts account information and verifies it against a bank information database to ensure that any discrepancies in bank information can be rectified during a conversation between a collections agent and a collections representative. The Pollin system may further generate an inquiry to a bank identified by the payee to ensure that a substantial balance of funds is available to finalize the transaction. When all verification is complete, the Pollin system generates a paper bank draft payable to the payee such that it can be processed as an ordinary check.

Pickering, Haseltine, and Pollin each disclose systems for allowing consumers convenient methods for paying debts, albeit in different manners. Pickering and Haseltine disclose similar systems, in that they each disclose a method for the consolidation of reoccurring payment accounts within a single processing system. However, Pickering is payer centric, in that it provides the payer the convenience of facilitating the payment of any number of payees through a single payment. Haseltine, on the other hand, is centered more on the payee, in that it allows payees to outsource their billing processes to a third-party. Pollin is not so concerned with the problem of providing a central processing system for managing billing processes. Pollin is concerned only with allowing payees to accept electronic payments in the form of a bank note that is drawn against a payer's checking account without requiring a physical check.

While each of the cited references generally disclose certain similar aspects of the invention, any combination of the cited references would not produce a system that would enable processing of payments, such that modification to existing legacy systems would not be required. Those of ordinary skill in the art would appreciate that many large financial institutions employ legacy systems to manage accounts by processing account statements and received payments. At a minimum, replacing these legacy systems would be very expensive. At worst, such an endeavor could lead to disrupted services and lost revenues. As such, neither Pickering, Haseltine, Pollin, nor any combination thereof, disclose or contemplate at least a financial transaction manager that is, "configured to perform instructions related to various financial transactions, wherein said instructions include said formatted payments, said periodic and requested movement of funds, and said validated data regarding external institutions and, wherein said financial transaction manager receives said instructions in a format that is usable by an existing financial system of a financial institution," as recited by independent claim 1.

Dependent claims 2-9 depend from independent claim 1. Therefore dependent claims 3 and 8 are differentiated from the cited reference for at least the same reasons as set forth above, as well as in view of their own respective features.

New dependent claims 10-12 also depend from independent claim 1. Therefore dependent claims 10-12 are differentiated from the cited reference for at least the same reasons as set forth above, as well as in view of their own respective features.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees, which may be required, or credit any

overpayment, to Deposit Account No. 19-2814 **for which purpose a duplicate copy of this sheet is attached. This statement does NOT authorize charge of the issue fee.** Applicants invite the Examiner to telephone the undersigned if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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By: 

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